IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Crim. Writ Petition No. 1815 of 2006

Shamim Munir Hasanfatta ..Petitioner

vs.

1. State of Maharashtra and others ..Respondents

Shri V.S.Rajguru for petitioner
Shri D.S.Mhaispurkar,A.P.P. for respondent State.

CORAM: S.B.MHASE AND
S.R.SATHE JJ.
12th December,2006

P.C.

1. Heard the learned Counsel for the petitioner.

2. The dispute is about the premises. According to the petitioner, room nos.2, 3 and 4 are given to him on tenancy basis while according to the landlord room nos.3, 4 and 5 were given. The dispute is as to the premises which were given on rent and, therefore, there is a civil dispute between the parties as to which premises were given on tenancy basis. Unless that dispute is thrashed it is very difficult to find as to whether there is a trespass or not. The suit is already pending between the parties. The crime has been registered and investigation is going on. Under

these circumstances grievance of the petitioner at this stage stands redressed. Therefore, we do not desire to further entertain the petition. Petition is hereby rejected.

(S.R.SATHE J.) **(S.B.MHASE J.)**